



June 22, 2012
Via Web Filing

Ms. Betty McCauley, Commission Secretary
Ohio Public Utilities Commission
180 East Broad Street
Columbus, OH 43215

RE: **BullsEye Telecom, Inc.**
Revision for P.U.C.O. Tariff No. 2 (Access)
Case No. 12-1903-TP-ATA

Dear Ms. McCauley:

Attached for filing please find the above-referenced tariff filing and application submitted on behalf of BullsEye Telecom, Inc. This filing makes changes to language for the identification and rating of VoIP-PSTN traffic in compliance with the requirements of the Federal Communications Commission Report and Order in WC Docket No. 10-90, etc., FCC No. 11-161 (released Nov 18, 2011) ("FCC Order") and *the FCC's Second Order on Reconsideration (FCC No. 12-47 released April 26, 2012) issued in this Docket*. The Company respectfully requests an effective date of June 22, 2012.

The following tariff pages are included:

1 st Revised Page No. 1	Updates Company Address
8 th Revised Page No. 3	Updates Check Sheet
4 th Revised Page No. 28	Revises VoIP-PSTN Language
1 st Revised Page 28.1	Revises VoIP-PSTN Language; Moves Text
Original Page 28.1.1	Revises VoIP-PSTN Language; Notes Relocated Text
1 st Revised Page 28.2	Revises VoIP-PSTN Language

Please acknowledge of this filing via return email confirmation.

Any questions you may have regarding this filing should be directed to my attention at 407-740-3004 or via email to rnorton@tminc.com. Thank you for your assistance in this matter.

Sincerely,

/s/ Robin Norton

Consultant to BullsEye Telecom, Inc.

cc: David Bailey - BullsEye Telecom
file: BullsEye Telecom - Ohio - Access
tms: OHa1203

Enclosures
RN/mw

The Public Utilities Commission of Ohio
TELECOMMUNICATIONS FILING FORM

(Effective: 01/20/2011)

This form is intended to be used with most types of required filings. It provides check boxes with rule references for the most common types of filings. It does not replace or supersede Commission rules in any way.

In the Matter of the Application of **BullsEye Telecom, Inc.**)
To Revise Carrier-to-Carrier Tariff)
)
)

TRF Docket No. 90-9163-TP-TRF

Case No. **12 – 1903 - TP - ATA**

NOTE: Unless you have reserved a Case #, leave the "Case No" fields BLANK.

Name of Registrant(s) BullsEye Telecom, Inc.

DBA(s) of Registrant(s) N/A

Address of Registrant(s) 25925 Telegraph Road, Suite 210, Southfield, MI 48033

Company Web Address www.bullseyetelecom.com

Regulatory Contact Person(s) David Bailey, Vice President–Business Development Phone 248-784-2500 Fax 248-784-2501

Regulatory Contact Person's Email Address dbailey@bullseyetelecom.com

Contact Person for Annual Report Richard Koslowski, Vice President - Finance Phone 248-784-2500

Address (if different from above) _____

Consumer Contact Information LaToya Simpson, Customer Service Phone 248-784-2500

Address (if different from above) _____

Motion for protective order included with filing? ☐ Yes ☒ No

Motion for waiver(s) filed affecting this case? ☐ Yes ☒ No [Note: Waivers may toll any automatic timeframe.]

Notes:

Section I and II are Pursuant to Chapter 4901:1-6 OAC.

Section III – Carrier to Carrier is Pursuant to 4901:1-7 OAC, and Wireless is Pursuant to 4901:1-6-24 OAC.

Section IV – Attestation.

(1) Indicate the Carrier Type and the reason for submitting this form by checking the boxes below.

(2) For requirements for various applications, see the identified section of Ohio Administrative Code Section 4901 and/or the supplemental application form noted.

(3) Information regarding the number of copies required by the Commission may be obtained from the Commission's web site at www.puco.ohio.gov under the docketing information system section, by calling the docketing division at 614-466-4095, or by visiting the docketing division at the offices of the Commission.

(4) An Incumbent Local Exchange Carrier (ILEC) offering basic local exchange service (BLES) outside its traditional service area should choose CLEC designation when proposing to offer BLES outside its traditional service area or when proposing to make changes to that service.

All Filings that result in a change to one or more tariff pages require, at a minimum, the following exhibits.

Exhibit	Description:
A	The tariff pages subject to the proposed change(s) as they exist before the change(s)
B	The Tariff pages subject to the proposed change(s), reflecting the change, with the change(s) marked in the right margin.
C	A short description of the nature of the change(s), the intent of the change(s), and the customers affected.
D	A copy of the notice provided to customers, along with an affidavit that the notice was provided according to the applicable rule(s).

Section I – Part I - Common Filings

Carrier Type <input type="checkbox"/> Other (explain below)	<input type="checkbox"/> For Profit ILEC	<input type="checkbox"/> Not For Profit ILEC	<input type="checkbox"/> CLEC
Change terms & conditions of existing BLES	<input type="checkbox"/> ATA <u>1-6-14(H)</u> (Auto 30 days)	<input type="checkbox"/> ATA <u>1-6-14(H)</u> (Auto 30 days)	<input type="checkbox"/> ATA <u>1-6-14(H)</u> (Auto 30 days)
Introduce non-recurring charge, surcharge, or fee to BLES			<input type="checkbox"/> ATA <u>1-6-14(H)</u> (Auto 30 days)
Introduce or Increase Late Payment	<input type="checkbox"/> ATA <u>1-6-14(I)</u> (Auto 30 days)	<input type="checkbox"/> ATA <u>1-6-14(I)</u> (Auto 30 days)	<input type="checkbox"/> ATA <u>1-6-14(I)</u> (Auto 30 days)
Revisions to BLES Cap.	<input type="checkbox"/> ZTA <u>1-6-14(F)</u> (0 day Notice)		
Introduce BLES or expand local service area (calling area)	<input type="checkbox"/> ZTA <u>1-6-14(H)</u> (0 day Notice)	<input type="checkbox"/> ZTA <u>1-6-14(H)</u> (0 day Notice)	<input type="checkbox"/> ZTA <u>1-6-14(H)</u> (0 day Notice)
Notice of no obligation to construct facilities and provide BLES	<input type="checkbox"/> ZTA <u>1-6-27(C)</u> (0 day Notice)	<input type="checkbox"/> ZTA <u>1-6-27(C)</u> (0 day Notice)	
Change BLES Rates	<input type="checkbox"/> TRF <u>1-6-14(F)</u> (0 day Notice)	<input type="checkbox"/> TRF <u>1-6-14(F)(4)</u> (0 day Notice)	<input type="checkbox"/> TRF <u>1-6-14(G)</u> (0 day Notice)
To obtain BLES pricing flexibility	<input type="checkbox"/> BLS <u>1-6-14</u> <u>(C)(1)(c)</u> (Auto 30 days)		
Change in boundary	<input type="checkbox"/> ACB <u>1-6-32</u> (Auto 14 days)	<input type="checkbox"/> ACB <u>1-6-32</u> (Auto 14 days)	
Expand service operation area			<input type="checkbox"/> TRF <u>1-6-08(G)(0 day)</u>
BLES withdrawal			<input type="checkbox"/> ZTA <u>1-6-25(B)</u> (0 day Notice)
Other*			<input type="checkbox"/> ATA (Auto 30 days)

Section I – Part II – Customer Notification Offerings Pursuant to Chapter 4901:1-6-7 OAC

Type of Notice	Direct Mail	Bill Insert	Bill Notation	Electronic Mail
<input type="checkbox"/> 15-day Notice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> 30-day Notice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Date Notice Sent: N/A				

Section I – Part III –IOS Offerings Pursuant to Chapter 4901:1-6-22 OAC

IOS	Introduce New	Tariff Change	Price Change	Withdraw
<input type="checkbox"/> IOS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section II – Part I – Carrier Certification - Pursuant to Chapter 4901:1-6-08, 09 & 10 OAC

Certification	ILEC (Out of Territory)	CLEC	Telecommunications Service Provider Not Offering Local	CESTC	CETC
* See Supplemental form	<input type="checkbox"/> ACE <u>1-6-08</u> * (Auto 30- day)	<input type="checkbox"/> ACE <u>1-6-08</u> *(Auto 30 day)	<input type="checkbox"/> ACE <u>1-6-08</u> *(Auto 30 day)	<input type="checkbox"/> ACE <u>1-6-10</u> (Auto 30 day)	<input type="checkbox"/> UNC <u>1-6-09</u> *(Non-Auto)

*Supplemental Certification forms can be found on the Commission Web Page.

Section II – Part II – Certificate Status & Procedural

Certificate Status	ILEC	CLEC	Telecommunications Service Provider Not Offering Local
Abandon all Services		<input type="checkbox"/> ABN <u>1-6-26</u> (Auto 30 days)	<input type="checkbox"/> ABN <u>1-6-26</u> (Auto 30 days)
Change of Official Name *	<input type="checkbox"/> ACN <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> ACN <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Change in Ownership *	<input type="checkbox"/> ACO <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> ACO <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Merger *	<input type="checkbox"/> AMT <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> AMT <u>1-6-29(E)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Transfer a Certificate *	<input type="checkbox"/> ATC <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> ATC <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)
Transaction for transfer or lease of property, plant or business *	<input type="checkbox"/> ATR <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> ATR <u>1-6-29(B)</u> (Auto 30 days)	<input type="checkbox"/> CIO <u>1-6-29(C)</u> (0 day Notice)

* Other exhibits may be required under the applicable rule(s). ACN, ACO, AMT, ATC, ATR and CIO applications see the 4901:1-6-29 Filing Requirements on the Commission's Web Page for a complete list of exhibits.

Section III – Carrier to Carrier (Pursuant to 4901:1-7), and Wireless (Pursuant to 4901:1-6-24)

Carrier to Carrier	ILEC	CLEC
Interconnection agreement, or amendment to an approved agreement	<input type="checkbox"/> NAG <u>1-7-07</u> (Auto 90 day)	<input type="checkbox"/> NAG <u>1-7-07</u> (Auto 90 day)
Request for Arbitration	<input type="checkbox"/> ARB <u>1-7-09</u> (Non-Auto)	<input type="checkbox"/> ARB <u>1-7-09</u> (Non-Auto)
Introduce or change c-t-c service tariffs,	<input type="checkbox"/> ATA <u>1-7-14</u> (Auto 30 day)	<input checked="" type="checkbox"/> ATA <u>1-7-14</u> (Auto 30 day)
Request rural carrier exemption, rural carrier suspension or modification	<input type="checkbox"/> UNC <u>1-7-04 or 05</u> (Non-Auto)	
Changes in rates, terms & conditions to Pole Attachment, Conduit Occupancy and Rights- of-Way.	<input type="checkbox"/> UNC <u>1-7-23(B)</u> (Non-Auto)	
Wireless Providers See <u>4901:1-6-24</u>	<input type="checkbox"/> RCC [Registration & Change in Operations]	<input type="checkbox"/> NAG [Interconnection Agreement or

Section IV. – Attestation

Registrant hereby attests to its compliance with pertinent entries and orders issued by the Commission.

AFFIDAVIT
Compliance with Commission Rules

I am an officer/agent of the applicant corporation, BullsEye Telecom, Inc. , and am authorized to make this statement on its behalf.
(Name)

Please Check ALL that apply:

☒ I attest that these tariffs comply with all applicable rules for the state of Ohio. I understand that tariff notification filings do not imply Commission approval and that the Commission's rules as modified and clarified from time to time, supersede any contradictory provisions in our tariff. We will fully comply with the rules of the state of Ohio and understand that noncompliance can result in various penalties, including the suspension of our certificate to operate within the state of Ohio.

☐ I attest that customer notices accompanying this filing form were sent to affected customers, as specified in Section II, in accordance with Rule 4901:1-6-7, Ohio Administrative Code.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on (Date) June 22, 2012 at (Location) Maitland, FL 32751

*(Signature and Title) /s/ Robin Norton (Date) June 22, 2012

Robin Norton, Consultant to BullsEye Telecom, Inc.

- *This affidavit is required for every tariff-affecting filing. It may be signed by counsel or an officer of the applicant, or an authorized agent of the applicant.*

VERIFICATION

I, Robin Norton, Consultant to BullsEye Telecom, Inc. verify that I have utilized the Telecommunications Filing Form for most proceedings provided by the Commission and that all of the information submitted here, and all additional information submitted in connection with this case, is true and correct to the best of my knowledge.

*(Signature and Title) /s/ Robin Norton (Date) June 22, 2012

Robin Norton, Consultant to BullsEye Telecom, Inc.

**Verification is required for every filing. It may be signed by counsel or an officer of the applicant, or an authorized agent of the applicant.*

Send your completed Application Form, including all required attachments as well as the required number of copies, to:

**Public Utilities Commission of Ohio
Attention: Docketing Division
180 East Broad Street, Columbus, OH 43215-3793**

Or

Make such filing electronically as directed in Case No 06-900-AU-WVR

BullsEye Telecom, Inc.

EXHIBIT A

Existing Affected Tariff Pages

BULLSEYE TELECOM, INC.

**REGULATIONS AND SCHEDULE OF INTRASTATE CHARGES
GOVERNING THE PROVISION OF SWITCHED ACCESS SERVICES
WITHIN THE STATE OF OHIO**

This Tariff contains the descriptions, regulations, and rates applicable to the furnishing of access service and facilities for telecommunications services within the State of Ohio by BullsEye Telecom, Inc. ("Company") in the exchanges where BullsEye Telecom, Inc. is authorized to provide local exchange services. This tariff is on file with the Public Utilities Commission of Ohio, and copies also may be inspected, during normal business hours, at the following location: 25900 Greenfield Ave, Suite 330, Oak Park, Michigan 48327

CHECK SHEET

The title page and pages 1-50 inclusive of this Tariff are effective as of the date shown. Original and revised pages, as named below, comprise all changes from the original Tariff in effect on the date indicated.

PAGE	REVISION		PAGE	REVISION	
1	Original		30	1 st Rev.	
2	1 st Rev.		31	1 st Rev.	
3	7 th Rev.	*	32	Original	
4	Original		33	Original	
5	Original		34	Original	
6	Original		35	Original	
7	1 st Rev.		36	Original	
8	2 nd Rev.		37	1 st Rev.	
9	Original		38	Original	
10	1 st Rev.		39	Original	
11	Original		40	Original	
12	Original		41	Original	
13	Original		42	1 st Rev.	
14	1 st Rev.		42.1	Original	
15	Original		43	Original	
16	1 st Rev.		44	Original	
17	1 st Rev.		45	Original	
18	First		46	Original	
19	2 nd Rev.		47	2 nd Rev.	*
20	Original		48	2 nd Rev.	*
21	Original		48.1	1 st Rev.	*
22	Original		49	2 nd Rev.	*
23	Original		49.1	1 st Rev.	*
24	Original		49.2	Original	
25	First		49.3	1 st Rev.	*
26	1 st Rev.		49.4	Original	
27	Original		49.5	1 st Rev.	*
28	3 rd Rev.		49.6	1 st Rev.	*
28.1	Original		49.7	Original	
28.2	Original		49.8	1 st Rev.	*
28.3	Original		49.9	1 st Rev.	*
28.4	Original		49.10	1 st Rev.	*
29	1 st Rev.		49.11	1 st Rev.	*
			50	2 nd Rev.	

* - indicates those pages included with this filing

Issued: May 1, 2012

Effective: July 1, 2012

Issued under authority of the Public Utilities Commission of Ohio, Case No. 12-1447-TP-ATA

Issued By: Vice President – Corporate Development

25923 Telegraph Rd., Suite 210

Southfield, MI 48033

OHa1202

2. Rules and Regulations (Cont'd.)**2.12 Determination of Jurisdiction of Mixed Interstate and Intrastate Dedicated Transport Service (Cont'd.)**

2.12.2 When mixed interstate and intrastate service is provided over a dedicated facility, the jurisdiction will be determined as follows.

- (a.) If the Customer's estimate of the interstate traffic on the service equals 10% or less of the total traffic on that service, the service will be provided according to the applicable rules and regulations.
- (b.) If the Customer's estimate of the interstate traffic on the service is more than 10% of the total traffic on that service, the service will be provided according to the applicable rules and regulations of the appropriate interstate tariff.
- (c.) If the percentage of interstate traffic on the service changes to the extent that it alters the jurisdiction of the service, the Customer must notify the Company of any required change in status. The affected service will revert to the appropriate jurisdictional tariff within the next full billing cycle.

2.13 Identification and Rating of Toll VoIP-PSTN Traffic

(N)

2.13.1 Scope

Toll VoIP-PSTN Traffic is the traffic exchanged in time division multiplexing ("TDM") format that originates and/or terminates in Internet protocol ("IP") format. This section governs the identification of Toll VoIP-PSTN Traffic that is required to be compensated at interstate access rates (unless the parties have agreed otherwise) by the Federal Communications Commission in its Report and Order in WC Docket Nos. 10-90 et. al. FCC No. 11-161 (November 18, 2011) ("FCC Order"). Specifically, this section establishes the method of separating such traffic (referred to in this tariff as "Toll VoIP-PSTN Traffic") from the Customer's traditional intrastate access traffic, so that such toll VoIP-PSTN Traffic can be billed in accordance with the FCC Order.

This section of the tariff does not preclude carriers from negotiating different rates, terms and conditions governing compensation for Toll VoIP-PSTN traffic.

This tariff does not supersede rates, terms and conditions governing compensation for Toll VoIP-PSTN traffic in existing interconnection agreements.

(N)

Some material previously found on this page now found on Original Page No. 28.4

2. Rules and Regulations (Cont'd.)**2.13 Identification and Rating of Toll VoIP-PSTN Traffic (Cont'd.)****(N)****2.13.2 Rating of Toll VoIP-PSTN Traffic**

The Toll VoIP-PSTN Traffic identified in accordance with this tariff section will be billed in accordance with the Company's applicable interstate switched access tariff. Current and pending interstate access rates for the Company are located at <http://fjallfoss.fcc.gov/cgi-bin/ws.exe/prod/ccb/etfs/mainmenu.fts>

2.13.3 Calculation and Application of Percent-Toll VoIP-PSTN-Usage Factor

The Company will determine the number of Toll VoIP-PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under Section 2.13.2, above, by applying a Percent VoIP Usage ("PVU") factor to the total intrastate access MOU (however determined – either based on call detail information or PIU) exchanged between the Company and the Customer. The PVU will be derived and applied as follows:

- (A.) The Customer will calculate and furnish to the Company a factor (the "PVU-A") representing the whole number percentage of the total intrastate access MOU that the Customer exchanges with the Company in the State, that (a) is sent to the Company and that originates in IP format; or (b) is received from the Company and terminates in IP format. This PVU-A shall be based on information such as the number of the Customer's retail VoIP subscriptions in the state (e.g., as reported on FCC Form 477), traffic studies, actual call detail, or other relevant and verifiable information.
- (B.) Company will, likewise, calculate a factor (the "PVU-B") representing the percentage of the Company's total intrastate access MOU that the Customer exchanges with the Company in the State, that (a) is sent to the Company and that originates in IP format; or (b) is received from the Company and terminates in IP format. This PVU-B shall be based on information such as the number of the Company's retail VoIP subscriptions in the state (e.g., as reported on FCC Form 477), traffic studies, actual call detail, or other relevant and verifiable information.
- (C.) The Company will use the PVU-A and PVU-B factors to calculate an effective PVU factor that represents the percentage of total intrastate access MOU exchanged between the Company and the Customer that is originated and/or terminated in IP format, whether at the Company's end, at the Customer's end, or at both ends. The effective PVU factor will be calculated as the sum of: (A) the PVU-A factor and (B) the PVU-B factor times (1.0 minus the PVU-A factor).

(N)

2. Rules and Regulations (Cont'd.)**2.13 Identification and Rating of Toll VoIP-PSTN Traffic (Cont'd.)****(N)****2.13.3 Calculation and Application of Percent-Toll VoIP-PSTN-Usage Factor (Cont'd.)**

- (D.) The Company will apply the effective PVU factor to the total intrastate access MOU exchanged with the Customer to determine the number of toll VoIP-PSTN Traffic MOUs.

Example 1: The PVU-A is 40% and the PVU-B is 10%. The effective PVU factor is equal to $40\% + (10\% \times 60\%) = 46\%$. The Company will bill 46% of the Customer's intrastate access MOU in accordance with the Company's applicable interstate switched access tariff.

Example 2: The PVU-A is 0% and the PVU-B is 10%. The effective PVU factor is $0\% + (10\% \times 100\%) = 10\%$. The Company will bill 10% of the Customer's intrastate access MOU in accordance with the Company's applicable interstate switched access tariff.

Example 3: The PVU-A is 100%. No matter what the PVU-B factor is, the effective PVU is 100%. The Company will bill 100% of the Customer's intrastate access MOU in accordance with the Company's applicable interstate switched access tariff.

- (E.) If the Customer does not furnish the Company with a PVU-A pursuant to 2.13.3.A preceding, the Company will utilize an effective PVU equal to the PVU-B.
- (F.) The Customer shall not modify their reported PIU factor to account for toll VoIP-PSTN Traffic.

(N)

BullsEye Telecom, Inc.

EXHIBIT B

Proposed Amended Tariff Pages

BULLSEYE TELECOM, INC.

**REGULATIONS AND SCHEDULE OF INTRASTATE CHARGES
GOVERNING THE PROVISION OF SWITCHED ACCESS SERVICES
WITHIN THE STATE OF OHIO**

This Tariff contains the descriptions, regulations, and rates applicable to the furnishing of access service and facilities for telecommunications services within the State of Ohio by BullsEye Telecom, Inc. ("Company") in the exchanges where BullsEye Telecom, Inc. is authorized to provide local exchange services. This tariff is on file with the Public Utilities Commission of Ohio, and copies also may be inspected, during normal business hours, at the following location: 25925 Telegraph Road, Suite 210, Southfield, Michigan 48033.

(T)

Filed under Authority of Case No. 00-2054-TP-ACE issued by the Public Utilities Commission of Ohio on April 5, 2001.

(T)

(T)

CHECK SHEET

The title page and pages 1-50 inclusive of this Tariff are effective as of the date shown. Original and revised pages, as named below, comprise all changes from the original Tariff in effect on the date indicated.

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9	Original		38	Original
10	1 st Rev.		39	Original
11	Original		40	Original
12	Original		41	Original
13	Original		42	1 st Rev.
14	1 st Rev.		42.1	Original
15	Original		43	Original
16	1 st Rev.		44	Original
17	1 st Rev.		45	Original
18	First		46	Original
19	2 nd Rev.		47	2 nd Rev.
20	Original		48	2 nd Rev.
21	Original		48.1	1 st Rev.
22	Original		49	2 nd Rev.
23	Original		49.1	1 st Rev.
24	Original		49.2	Original
25	First		49.3	1 st Rev.
26	1 st Rev.		49.4	Original
27	Original		49.5	1 st Rev.
28	4 th Rev.	*	49.6	1 st Rev.
28.1	1 st Rev.	*	49.7	Original
28.1.1	Original	*	49.8	1 st Rev.
28.2	1 st Rev.	*	49.9	1 st Rev.
28.3	Original		49.10	1 st Rev.
28.4	Original		49.11	1 st Rev.
29	1 st Rev.		50	2 nd Rev.

* - indicates those pages included with this filing

Issued: June 22, 2012

Effective: July 23, 2012

Issued under authority of the Public Utilities Commission of Ohio, Case No. 12-1903-TP-ATA
 Issued By: Vice President – Corporate Development
 25923 Telegraph Rd., Suite 210
 Southfield, MI 48033

OHa1203

2. Rules and Regulations (Cont'd.)**2.12 Determination of Jurisdiction of Mixed Interstate and Intrastate Dedicated Transport Service (Cont'd.)**

2.12.2 When mixed interstate and intrastate service is provided over a dedicated facility, the jurisdiction will be determined as follows.

- (a.) If the Customer's estimate of the interstate traffic on the service equals 10% or less of the total traffic on that service, the service will be provided according to the applicable rules and regulations.
- (b.) If the Customer's estimate of the interstate traffic on the service is more than 10% of the total traffic on that service, the service will be provided according to the applicable rules and regulations of the appropriate interstate tariff.
- (c.) If the percentage of interstate traffic on the service changes to the extent that it alters the jurisdiction of the service, the Customer must notify the Company of any required change in status. The affected service will revert to the appropriate jurisdictional tariff within the next full billing cycle.

2.13 Identification and Rating of Toll VoIP-PSTN Traffic**2.13.1 Scope**

Toll VoIP-PSTN Traffic is the traffic exchanged in time division multiplexing ("TDM") format that originates and/or terminates in Internet protocol ("IP") format. This section governs the identification of Toll VoIP-PSTN Traffic that is required to be compensated at interstate access rates (unless the parties have agreed otherwise) by the Federal Communications Commission in its Report and Order in WC Docket Nos. 10-90 et. al. FCC No. 11-161 (November 18, 2011) ("FCC Order") and the FCC's Second Order on Reconsideration (April 25, 2012) ("Second Order"). Specifically, this section establishes the method of separating such traffic (referred to in this tariff as "Toll VoIP-PSTN Traffic") from the Customer's traditional intrastate access traffic, so that such toll VoIP-PSTN Traffic can be billed in accordance with the FCC Order and Second Order. (C)

This section of the tariff does not preclude carriers from negotiating different rates, terms and conditions governing compensation for Toll VoIP-PSTN traffic. (C)

This tariff does not supersede rates, terms and conditions governing compensation for Toll VoIP-PSTN traffic in existing interconnection agreements. (C)

2. Rules and Regulations (Cont'd.)**2.13 Identification and Rating of Toll VoIP-PSTN Traffic (Cont'd.)****2.13.2 Rating of Toll VoIP-PSTN Traffic**

The Toll VoIP-PSTN Traffic identified in accordance with this tariff section will be billed in accordance with the Company's applicable interstate switched access tariff. Current and pending interstate access rates for the Company are located at <http://fjallfoss.fcc.gov/cgi-bin/ws.exe/prod/ccb/etfs/mainmenu.htm>

2.13.3 Calculation and Application of Percent-Toll VoIP-PSTN-Usage Factor

The Company will determine the number of Toll VoIP-PSTN Traffic minutes of use ("MOU") to which interstate rates will be applied under Section 2.13.2, above, by applying a Percent VoIP Usage ("PVU") factor to the total intrastate access MOU (however determined – either based on call detail information or PIU) exchanged between the Company and the Customer, until July 25, 2012 and after June 30, 2014. From July 25, 2012 through June 30, 2014, the PVU will be applied to only the terminating intrastate access MOU. The PVU will be derived and applied as follows:

- (A) The Customer will calculate and furnish to the Company a factor (the "PVU-A") representing the whole number percentage of the total intrastate access MOU that the Customer exchanges with the Company in the State, that (a) is terminating access sent to the Company and that originates in IP format; or (b) is originating access received from the Company and terminates in IP format until July 25, 2012 and after 30, 2014. From July 25, 2012 through June 30, 2014, the PVU will represent only the terminating intrastate access MOU. This PVU-A shall be based on information such as the number of the Customer's retail VoIP subscriptions in the state (e.g., as reported on FCC Form 477), traffic studies, actual call detail, or other relevant and verifiable information.

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2. Rules and Regulations (Cont'd.)**2.13 Identification and Rating of Toll VoIP-PSTN Traffic (Cont'd.)****2.13.3 Calculation and Application of Percent-Toll VoIP-PSTN-Usage Factor (Cont'd.)**

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|-----|--|---|
| (B) | Company will, likewise, calculate a factor (the "PVU-B") representing the percentage of the Company's total intrastate access MOU that the Company originates or terminates in IP format until July 25, 2012 and after June 30, 2014. From July 25, 2012 through June 30, 2014, the PVU will represent only the terminating intrastate access MOU. This PVU-B shall be based on information such as the number of the Company's retail VoIP subscriptions in the state (e.g., as reported on FCC Form 477), traffic studies, actual call detail, or other relevant and verifiable information. | (M)
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| (C) | The Company will use the PVU-A and PVU-B factors to calculate an effective PVU factor that represents the percentage of total intrastate access MOU exchanged between the Company and the Customer that is originated and/or terminated in IP format, whether at the Company's end, at the Customer's end, or at both ends until July 25, 2012 and after June 30, 2014. From July 25, 2012 through June 30, 2014, the PVU will represent only the relevant terminating intrastate access MOU. The effective PVU factor will be calculated as the sum of: (A) the PVU-A factor and (B) the PVU-B factor times (1.0 minus the PVU-A factor). | (M)

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(M) - Material formerly appeared on Original Page No. 28.1.

2. Rules and Regulations (Cont'd.)**2.13 Identification and Rating of Toll VoIP-PSTN Traffic (Cont'd.)****2.13.3 Calculation and Application of Percent-Toll VoIP-PSTN-Usage Factor (Cont'd.)**

- (D) The Company will apply the effective PVU factor to the applicable intrastate access MOU exchanged with the Customer to determine the number of toll VoIP-PSTN Traffic MOUs. (C)

Example 1: The PVU-A is 40% and the PVU-B is 10%. The effective PVU factor is equal to $40\% + (10\% \times 60\%) = 46\%$. The Company will bill 46% of the Customer's applicable intrastate access MOU in accordance with the Company's interstate switched access tariff. (C)

Example 2: The PVU-A is 0% and the PVU-B is 10%. The effective PVU factor is $0\% + (10\% \times 100\%) = 10\%$. The Company will bill 10% of the Customer's applicable intrastate access MOU in accordance with the Company's interstate switched access tariff. (C)

Example 3: The PVU-A is 100%. No matter what the PVU-B factor is, the effective PVU is 100%. The Company will bill 100% of the Customer's applicable intrastate access MOU in accordance with the Company's interstate switched access tariff. (C)

- (E) If the Customer does not furnish the Company with a PVU-A pursuant to 2.13.3.A preceding, the Company will utilize an effective PVU equal to the PVU-B.
- (F) The Customer shall not modify their reported PIU factor to account for toll VoIP-PSTN Traffic.

BullsEye Telecom, Inc.

EXHIBIT C

Summary of Changes

This filing makes changes to language for the identification and rating of VoIP-PSTN traffic in compliance with the requirements of the Federal Communications Commission Report and Order in WC Docket No. 10-90, etc., FCC No. 11-161 (released Nov 18, 2011) ("FCC Order") and *the FCC's Second Order on Reconsideration (FCC No. 12-47 released April 26, 2012) issued in this Docket.*

BullsEye Telecom, Inc.

EXHIBIT D

Customer Notice

Not Applicable

BullsEye Telecom, Inc.

EXHIBIT E

Affidavit of Customer Notice

Not Applicable - See Exhibit D

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Summary: Application to revise carrier-to-carrier Access Services tariff, electronically filed by Mr. Thomas M Forte on behalf of BullsEye Telecom, Inc.